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SIPDIS

E.O. 12958: NA
TAG: PREL, PGOV, CASC, CJAN, KAWC, HR
SUBJECT: AMERICAN CITIZEN ACQUITTED OF WAR CRIMES

REF: a) Zagreb 00717 b) Zagreb 00531 c) Zagreb 00488

1. (U) Mr. Zeljko Vrljanovic, an American citizen, was arrested in Germany in 2007 on the basis of an INTERPOL red notice and extradited to Croatia to stand trial for war crimes as a member of Serbian rebel unit responsible for the murder of a Croatian military officer, his wife and two small children. He was in custody for nearly 15 months. Embassy officers were present in the courtroom throughout the trial (reftels). Vrljanovic was tried with another defendant; four others named in the indictment are believed to be in Serbia and were not included in the current trial.

2. (U) During the trial, no witnesses placed Vrljanovic in the vicinity of the crime, although one said that someone named Zeljko and nicknamed "Vrci" was in the unit which allegedly perpetrated the murders. In several cases, witnesses distanced themselves from their original statements, which they say were made under police pressure, but the judge rejected their claims of pressure and ruled to accept their original statements. On the last day of trial, Vrljanovic's co-defendant testified that Vrljanovic's nickname was "Vrljo" and a different person in the unit went by the nickname "Vrci." He also testified that Vrljanovic was only a member of the unit for approximately one month in August-September 1992 and was not in the unit at the time of the murders in 1993.

3. (U) Two hours after hearing closing arguments, the panel of three judges issued their oral verdict. The presiding judge, ruling that there was no evidence placing Vrljanovic at the scene of the murders, found him not guilty. This is the first time this judge has acquitted a Serb charged with war crimes. The co-defendant, however, was found guilty and sentenced to the maximum sentence of 20 years despite no physical evidence tying him to the crime. Mr. Vrljanovic was released after the verdict and returned to the United States two days later. Prosecutors, following standard practice, are likely to appeal the acquittal once the formal written verdict is released.

WALKER